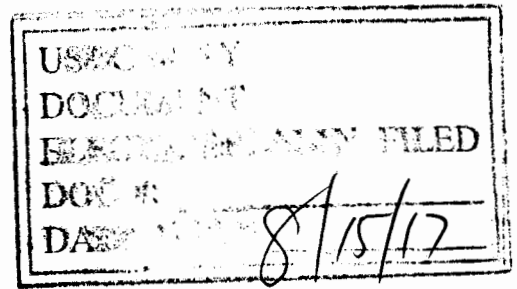


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK



PENGUIN RANDOM HOUSE LLC; SIMON &
SCHUSTER, INC.; Alan U. Schwartz, as trustee of THE
TRUMAN CAPOTE LITERARY TRUST; JAMES
SAMPAS, Literary Representative of THE ESTATE OF
JACK KEROUAC; JOHN LASH, Executor of THE
ESTATE OF JAN KEROUAC; NANCY BUMP;
ANTHONY M. SAMPAS; THE DR. ARTHUR C.
CLARKE TRUST; HEMINGWAY COPYRIGHTS,
L.L.C.; PATRICK HEMINGWAY AND CAROL T.
HEMINGWAY REVOCABLE LIVING TRUST; and
THE HEMINGWAY FAMILY TRUST,

Plaintiffs,

- against -

FREDRIK COLTING and MELISSA MEDINA, d/b/a
Moppet Books,

Defendants.

17 Civ. 386 (JSR)

**PERMANENT INJUNCTION
ON CONSENT**

WHEREAS, plaintiffs instituted this action alleging copyright infringement of four novels authored and/or published by plaintiffs and their predecessors-in-interest (the "Novels") by reason of defendants' publication, advertisement, distribution and sale of certain "KinderGuides: Early Learning Guides to Culture Classics" which are alleged in the complaint to infringe the Novels to which they correspond (the "Infringing KinderGuides"); and

WHEREAS, by Order dated July 25, 2017 (the "Order") the Court granted plaintiffs' motion for summary judgment on liability for infringing the copyright in the Novels;

WHEREAS, defendants consent to the terms hereof without waiver of, and subject to, their right to appeal the Order and/or any final judgment in this action, and to seek such relief on appeal and/or on remand as may be appropriate.

**NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED,
ON CONSENT, AS FOLLOWS:**

1. Defendants, their agents, representatives, distributors, successors and assigns, and all those acting under their direction or pursuant to his, her or their control (collectively “Defendants and Those Acting For Them”) are enjoined and restrained from reproducing, distributing, advertising, publishing, displaying, or otherwise disseminating or transmitting the Infringing KinderGuides in or to the United States or licensing others to do so;

2. Defendants and Those Acting For Them are ordered to destroy all remaining copies of the Infringing KinderGuides in their possession or under their control, and to certify under oath to the plaintiffs the destruction of same within ten (10) days from entry hereof. Notwithstanding the foregoing, this paragraph of this order only is stayed pending entry of final judgment and pending appeal, provided that defendants timely file a notice of appeal therefrom;

3. Defendants and Those Acting For Them are enjoined and restrained from entering any agreements authorizing the reproduction, distribution, advertisement, publication, display, dissemination or transmission of the Infringing KinderGuides, whether in English or any other language, in the United States.

4. Defendants and Those Acting For Them are enjoined and restrained from distributing, selling, advertising, displaying, or otherwise disseminating foreign translations of the Infringing KinderGuides in the United States and from authorizing third parties to do any of the foregoing.

5. All provisions of this injunction shall automatically dissolve at such time as any one of the Novels enters the public domain in the United States with respect to the Infringing KinderGuide for that Novel only.

DATED: August 14, 2017

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SO ORDERED this 14th day of August, 2017:

Jed S. Rakoff
Hon. Jed S. Rakoff
U.S.D.J.